Agenda Item: 12-25 Request for Waiver of 30 day Rule and Approval to Proceed Public Notice and Hearing with Revisions to the Consolidated Buffer Mitigation Rules (15A NCAC 02B .0295) That Were Approved for Public Notice and Hearing by the EMC in the July 2012 Meeting and for the Proposed Repeal of Buffer Mitigation Rules for the Neuse River (15A NCAC 02B .0242), Catawba River (02B .0244), Randleman Lake (02B .0252), Tar-Pamlico River (02B .0260), Jordan Lake (02B .0268), and Goose Creek Watersheds (02B .0609) and Associated **Fiscal Note**

Explanation:

DWO is proposing to repeal the following Riparian Buffer Mitigation Rules: Neuse River Basin Buffer Mitigation Rule: 15A NCAC 02B .0242, Catawba River Buffer Mitigation Rule: 15A NCAC 02B .0244, Randleman Lake Buffer Mitigation Rule: 15A NCAC 02B .0252, Tar-Pamlico River Basin Buffer Mitigation Rule: 15A NCAC 02B .0260, Jordan Lake Buffer Mitigation Rule: 15A NCAC 02B .0268, and Goose Creek Buffer Mitigation Rule: 15A NCAC 02B .0609.

These rules will be replaced by the Consolidated Buffer Mitigation Rule (15A NCAC 02B .0295). DWQ will incorporate the repealed rules in the current draft fiscal analysis for Rule .0295.

DWQ also made an edit to the Consolidated Buffer Mitigation Rule (15A NCAC 2B .0295).

Recommendation:

DWO will request to proceed to public notice and public hearing with the proposed repealed buffer mitigation rules, revised consolidated buffer mitigation rule and draft fiscal analysis.